

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Kenneth M. Adams et al.	Examiner:	Unassigned
Serial No.:	10/657,915	Group Art Unit:	Unassigned
Filed:	September 9, 2003	Docket:	M190.145.101
Title:	SURGICAL MICRO-BURRING INSTRUMENT AND METHOD OF PERFORMING SINUS SURGERY		

COMMUNICATION RE: INCORRECT FILING RECEIPT

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

Dear Sir/Madam:

Applicants hereby request correction of the Filing Receipt with respect to the above-identified patent application. In the Filing Receipt received in our office on February 9, 2004, (copy enclosed), the Applicant's Representative information is incorrectly listed.

In the Filing Receipt, the Applicant's Representative information *reads* as follows:

Timothy A. Craja, Esq.
DICKE, HILLIG & CZAJA, PLLC
Fifth Street Towera, Suite 2250
100 South Fifth Street
Minneapolis, MN 55402

In the Filing Receipt, as evidenced by the Combined Declaration and Power of Attorney filed, (copy enclosed) the Applicant's Representative information *should read* as follows:

Timothy A. Czaja, Esq.
DICKE, BILLIG & CZAJA, PLLC
Fifth Street Towers, Suite 2250
100 South Fifth Street
Minneapolis, MN 55402

Communication re: Incorrect Filing Receipt

Applicant: Kenneth M. Adams et al.

Serial No.: 10/657,915

Filed: September 9, 2003

Docket No.: M190.145.101

Title: SURGICAL MICRO-BURRING INSTRUMENT AND METHOD OF PERFORMING SINUS SURGERY

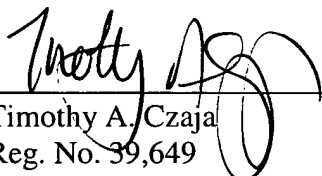
Applicants would appreciate the above-identified printing error be corrected and that a new "corrected" Filing Receipt be sent to Applicants' representatives at the address give below.

Respectfully submitted,

Kenneth M. Adams et al.,

By their attorneys,

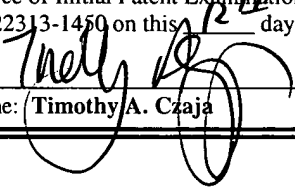
Dated: FEBRUARY 12, 2004
TAC:jmc



Timothy A. Czaja
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Minneapolis, MN 55402
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CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Office of Initial Patent Examination's Filing Receipt Corrections, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 12th day of February, 2004.

By 
Name: Timothy A. Czaja



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth M. Adams et al. Examiner: Unassigned
Serial No.: 10/657,915 Group Art Unit: Unassigned
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PERFORMING SINUS SURGERY

Office of Initial Patent Examination
Filing Receipt Corrections
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet containing Certificate of Mailing (1 pg.).
- ☒ Communication Re: Incorrect Filing Receipt (2 pg.).
- ☒ A copy of the original Filing Receipt with errors marked (1 pg.).
- ☒ A copy of the Combined Declaration and Power of Attorney as filed 2 pgs.)
- ☒ Return Postcard.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. At any time during the pendency of this application, please charge any additional fees or credit overpayment to Deposit Account No. 500471.

Customer No. 025281

By: 

Name: Timothy A. Czaja

Reg. No.: 39,649

CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Office of Initial Patent Examination's Filing Receipt Corrections, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 12th day of February, 2004.

By: 

Name: Timothy A. Czaja



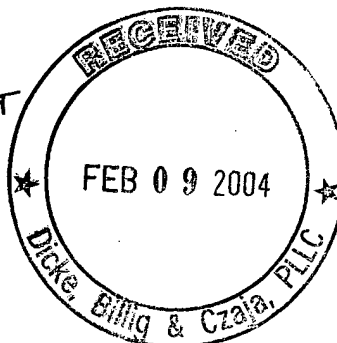
UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/657,915 ✓	09/09/2003 ✓	3731 ✓	912 ✓	M190.145.101 ✓	7 ✓	29 ✓	2 ✓

ⓧ Timothy A. Graja, Esq. **CZAJA**
 DICKE, HILLIG & CZAJA, PLLC **BILLIG**
 Fifth Street Towers, Suite 2250 **TOWER**
 100 South Fifth Street
 Minneapolis, MN 55402



CONFIRMATION NO. 7670 ✓

REPLACEMENT FILING RECEIPT



OC000000011835645

Date Mailed: 02/05/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Kenneth M. Adams, Jacksonville, FL; ✓
 Cecil O. Lewis, Jacksonville, FL;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 11/29/2003

Projected Publication Date: 03/10/2005

Non-Publication Request: No

Early Publication Request: No

Title

Surgical micro-burring instrument and method of performing sinus surgery

Preliminary Class

CZAJA
me

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

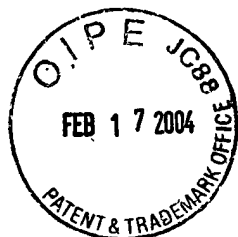
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



ATTORNEY DOCKET: M190.145.101

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "SURGICAL MICRO-BURRING INSTRUMENT AND METHOD OF PERFORMING SINUS SURGERY"

The specification of which

a. ☒ is attached hereto
b. ☐ was filed on _____ as application serial no. _____ and was amended on _____ (if applicable) (in the case of a PCT-filed application) described and claimed in international no. _____ filed _____ and as amended on _____ (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a. ☒ no such applications have been filed.
b. ☐ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC §119

(PRIVATE) COUNTRY	APPLICATION NUMBER	DATE OF FILING	DATE OF ISSUE

ALL FOREIGN APPLICATIONS, IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)

(PRIVATE) COUNTRY	APPLICATION NUMBER	DATE OF FILING	DATE OF ISSUE

I hereby claim the benefit under Title 35, United States Code, §112/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

We hereby claim priority benefits under Title 35, United States Code, §119(e)(1) of any U.S. provisional application listed below:

(PRIVATE) U.S. APPLICATION NUMBER	DATE OF FILING	STATUS (patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Harold R. Patton	Reg. No. 22,157	Kenneth J. Collier	Reg. No. 34,982	Thomas G. Berry	Reg. No. 31,736
Michael J. Juro	Reg. No. 34,472	Daniel W. LaBam	Reg. No. 30,401	Stephen Walter Bauer	Reg. No. 32,192
Gina Wolfe-Michael	Reg. No. 36,724	Curtis D. Kinghorn	Reg. No. 33,926	Timothy A. Czaja	Reg. No. 39,649
Thomas F. Woods	Reg. No. 36,726	Eric R. Walckoeffer	Reg. No. 36,713		

§ 1.56 Duty of disclosure, fraud, striking or rejection of applications.

(a) A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material where there is substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.

ATTORNEY DOCKET: M190.145.101

Please direct all correspondence in this case to: Timothy A. Graja, Esq.
 DUCKER, BILLES & GRAJA, PLLC
 Fifth Street Towers, Suite 2250
 100 South Fifth Street
 Minneapolis, Minnesota 55402
 Telephone No. (612) 573-2004

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that those statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

PRIV ATE 12 0 1	Full Name of Inventor	FIRST NAME Kenneth	MIDDLE INITIAL M.	LAST NAME Adams
	Residence & Citizenship	CITY Jacksonville	STATE OR FOREIGN COUNTRY Florida	CITIZENSHIP United States
	Post Office Address	POST OFFICE ADDRESS 10336 Cypress Lakes Drive	CITY Florida	STATE/ZIP/COUNTRY Florida 32256 / United States of America
SIGNATURE OF INVENTOR 201 <i>Kenneth M. Adams</i>				DATE 9-4-03
2 0 2	Full Name of Inventor	FIRST NAME Cecil	MIDDLE INITIAL O.	LAST NAME Lewis
	Residence & Citizenship	CITY Jacksonville	STATE OR FOREIGN COUNTRY Florida	CITIZENSHIP United States
	Post Office Address	POST OFFICE ADDRESS 4170 Tradewinds Drive	CITY Jacksonville	STATE/ZIP/COUNTRY Florida 32250 / United States of America
SIGNATURE OF INVENTOR 202 <i>Cecil O. Lewis</i>				DATE 9/8/03

Additional pages for fourth and subsequent inventors attached.

☒ This Declaration ends with this page.